

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JAVIER ROSADO,
Defendant

Crim. No. 99-303 (PG)

MOTION TO STRIKE

(RE: TO STRIKE INFORMATION CONTAINED IN DOCKET #30)

TO THE HONORABLE JUAN PEREZ GIMENEZ,
SENIOR UNITED STATES JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW, Mr. *Rosado*, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico, and before this Honorable Court respectfully states and prays:

1. On March 31, 2006, U.S. Probation Officer ("USPO") Martin De Santiago filed a motion titled; *Motion Notifying Violation of Supervised Release Conditions and Request for the Issuance of an Arrest Warrant* ("Motion"), in which the USPO sets forth alleged violations to the supervised release conditions of Mr. Rosado.

2. On paragraph four of the Motion, USPO De Santiago describes several incidents that allegedly took place during the month of March, 2006, for which no violation of the conditions of the supervised release of Mr. Rosado was reported.

3. That regardless of whether the events described by USPO De Santiago happened, the mentioned acts do not constitute illegal acts nor violations to the supervised release conditions. Moreover, for such incidents no charges were presented against Mr. Rosado.

4. In light of all the above-stated, Mr. Rosado respectfully requests that paragraph four of the Motion be stricken from the record and not taken under consideration by this Honorable Court.

WHEREFORE, it is respectfully requested that this Honorable Court strike paragraph four of the Motion, as it does not describe an illegal act nor a violation to the supervised release of Javier Rosado.

I HEREBY CERTIFY that on July 11, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to the parties of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, July 11th, 2006.

JOSEPH C. LAWS, JR.
FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF PUERTO RICO

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